

Eugene T. Smith

Attorney at Law

(202) 347-2363

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

715 G Street, S.E.

Washington, D.C. 20003

February 12, 1997

Mr. William Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: RM-8924,
Asbury, Iowa

Dear Mr. Caton:

On behalf of Sports American Radio Network, Petitioner in the referenced Rule Making proceeding, there are transmitted herewith for filing an original and four copies of Petitioner's Initial Comments.

Counsel for the Petitioner has been advised on an informal basis that the Commission has caused to be published a Public Notice as of February 5, 1997, supplementing the Public Notice (Report No. 2172, released January 14, 1997) by extending the time for filing Initial Comments until February 12, 1997. The Commission did forward, and counsel has received Report No. 2172. Counsel has yet to receive a copy of said Public Notice of February 5, 1997.

Counsel for the Petitioner can advise of two additional facts: (1) Should the Commission determine that the public interest would be served by making this allotment, Petitioner will promptly prepare and file FCC Form 301 for this allotment; (2) A supplemental set of Comments are being prepared for filing with the Commission which should amicably resolve this proceeding for all parties.

If additional information is needed, please contact the undersigned.

Very truly yours,

Eugene T. Smith

ETS:ch

Attachments

cc: Eric S. Kravetz, Esq. (w/att.)
Philip T. Kelly (w/att.)

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20541

ENGINEERING STATEMENT

This Engineering Statement has been prepared by B. Benjamin Evans, P.E., of Evans Associates, Consulting Communications Engineers in Thiensville, Wisconsin. This statement is to present data in support of a petition by Sports America Radio Network (SARN) to assign FM Channel 238C3 at Asbury, Iowa.

SARN has petitioned the FCC to assign FM Channel 238C3 to Asbury, Iowa. Contemporaneously, Susan Coloff petitioned the FCC to assign FM Channel 239A to Anamosa, Iowa. These two proposals are mutually-exclusive, since the respective reference points are 61.2 kilometers apart, and the minimum distance spacing between a Class C3 and an adjacent-channel Class A is 89 kilometers.

An FM commercial frequency search conducted by this affiant has determined that there are no other Class A frequencies that could be assigned to Anamosa, nor any other Class C3 frequencies that could be assigned to Asbury. Thus, only one of the two proposals can be granted.

This affiant has determined the area and population that would be served by a maximum Class C3 facility at Asbury, as compared to the area and population that would be served by a maximum Class A facility at Anamosa. The reference coordinates proposed in the respective petitions for assignment were used as the assumed transmitter coordinates for this population and area study. The Asbury Class C3 was assumed to be at 25 KW ERP and 100 meters antenna HAAT, and the Anamosa Class A was assumed to be at 6 KW and 100 meters antenna HAAT.

It is determined that, on the basis of the above, that the proposed Asbury facility would serve an area of 4,677 square kilometers containing a 1990 Census population of 139,829 persons, with a predicted 1.0 mV/m signal. The proposed Anamosa facility would serve an area of 2,538 square kilometers containing a population of 55,760 persons, with a predicted 1.0 mV/m signal.

Therefore, the Asbury proposal would serve 2.5 times more people and 84% more area than the Anamosa proposal.

AFFIDAVIT

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COUNTY OF OZAUKEE

SS:

STATE OF WISCONSIN

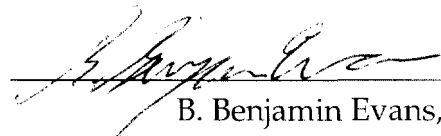
B. BENJAMIN EVANS, P.E., being duly sworn upon oath deposes and says:

That his qualifications are a matter of record with the Federal Communications Commission;

That he is a Consulting TeleCommunications Engineer, a Registered Professional Engineer in the State of Wisconsin, and is a partner in the firm of Evans Associates;

That this firm has been retained by Sports America Radio Network to prepare this engineering exhibit;

That he has either prepared or directly supervised the preparation of all technical information contained in this engineering statement, and that the facts stated in this engineering statement are true of his knowledge, except as to such statements as are herein stated to be on information and belief and as to such statements he believes them to be true.



B. Benjamin Evans, P.E.

Subscribed and sworn to before me this 11th day of February, 1997.


Notary Public

My Commission expires Sept 27, 2000

NOTICE

This exhibit and the work it is based on represents our best interpretation of existing information, technical data, FCC Rules and policies, and policies and rules of other agencies. However, these data, rules and policies and their interpretation by the FCC or other agencies are constantly changing. Therefore, we do not warrant this work to be acceptable to the FCC or other agency, that any undertaking based on it will be successful, or that further submittals, administrative actions or litigation will not be required by others in support of this proposal or future undertaking. In the event of errors, our liability is strictly limited to replacement of this document with a corrected one. Liability for consequential damages is specifically disclaimed. Favorable action on this application by the FCC, FAA, or other federal and state agencies, is not guaranteed.

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